correct copy of HJR 88 which was filed of record on MAR 1 2 1987 and referred to the committee on:

Science & Technology

1987 MAR 20 PM 112: 11 II House of Representatives

FILED MAR 1 2 1937

Betty Pressey

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4J.R. No. 88

# A JOINT RESOLUTION

proposing a constitutional amendment allowing the issuance of general obligation bonds for undertakings related to a Superconducting Super Collider research facility.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 49-g to read as follows:

Sec. 49-g. (a) The legislature may authorize the appropriate agency to issue up to \$500 million in general obligation bonds and to use the proceeds of the bonds in any manner appropriate to fund undertakings related to a Superconducting Super Collider research facility sponsored or authorized by the United States Government.

(b) Bonds issued under this section constitute a general obligation of the state. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount sufficient to pay the principal of and interest on the bonds that mature or become due during the fiscal year, less any amount in any sinking fund at the end of the preceding fiscal year that is pledged to payment of the bonds or interest.

SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the

- l proposition: "The constitutional amendment authorizing the
- 2 issuance of general obligation bonds to fund undertakings related
- 3 to a Superconducting Super Collider research facility sponsored or
- 4 authorized by the United States Government."

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# **COMMITTEE REPORT**

The Honorable Gib Lewis Speaker of the House of Representatives

4 - 9 - 87

Sir:				
We, your COMMITTEE ON S	CIENCE & TECHNOLOG	Υ,		
to whom was referred	JR 88 (measure)	have had the same	e under consideration	n and beg to report
back with the recommendation				
( ) do pass, without amendm ( ) do pass, with amendment ( ) do pass and be not printe	(s).	e Substitute is rec	ommended in lieu of	the original measure.
A fiscal note was requested.				uested. ( ) yes (4) no
An author's fiscal statement	was requested. ( ) yes (	Yno		
The Committee recommends	that this measure be pla	ced on the (Local)	or (Consent) Calend	<del>ar.</del>
This measure ( proposes ne			, , , , , , , , , , , , , , , , , , , ,	
House Sponsor of Senate Me		······································		
The measure was reported fr		lowing voto	1,500,000	
The medicare was reported if				
Luna A Ch	AYE	NAY	PNV	ABSENT
Luna, A., Ch.	V			
Blackwood, V.C.				
Lewis, R., C.B.O.				
Culborage				
Culberson		170.00		
Hunter Kubiak				
Richardson				
Shelley	V			
Notice that the second				
And the same of th				
Totalayenay		CHAIRMAN (	Al Lun	a
7	not voting	Jan	ulalfee	
absent		COMMUNITARE	COOPDINATED	

By: Al Luna H.J.R. 88

# BACKGROUND

The Federal Government proposes to construct and operate a high-energy research accelerator, called the Superconducting Super Collider (SSC). The SSC will be a major facility with a campus of about 16,000 acres and a tunnel 10 feet in diameter and 52 miles in circumference located at least 30 feet below the surface. It will cost about \$4.4 billion to construct and about \$270 million annually to operate.

This important research center would be an appreciable addition to the Texas economy. At least 4,500 new jobs will be generated during the six-to-nine year construction phase and roughly 2,500 positions will become available once the facility is fully operational. 500 visiting scientists are expected to be on site at any given time.

Construction of the SSC in Texas would greatly enhance the state's sagging economy by bringing much-needed economic diversity. It would also necessitate certain related capital construction by the state or other interested parties. Such one-time capital expenditures would be most easily financed by the issuance of general obligation and revenue bonds. Currently, the issuance of such general obligation bonds by the state conflicts with constitutional language regarding the issuance of bonds.

# PURPOSE

The purpose of this bill is to amend the Constitution to allow the legislature to authorize the appropriate agency to issue up to \$500 million in general obligation bonds and to use the proceeds of the bonds to fund undertakings related to the SSC, should it be located in Texas.

# SECTION-BY-SECTION ANALYSIS

SECTION 1: Article III of the Texas Constitution is amended by adding Section 49-g.

# Section 49-g.

- a. Allows the legislature to authorize the issuance of up to \$500 million in general obligation bonds and to place the proceeds in a fund to be used to fund undertakings related to the SSC.
- b. States that the bonds constitute a general obligation of the State; Sets out payment procedures of principal and interest on bonds that mature or become due during the fiscal year.

Science and Technology Committee BNH: 4/13/87

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Page 2 H.J.R. 88

SECTION 2: States that the proposed amendment will be submitted to the voters on November 3, 1987.

# RULEMAKING AUTHORITY

It is the opinion of this committee that this bill does not delegate any rulemaking authority to any state agency, commission, or officer.

# SUMMARY OF COMMITTEE ACTION

Public notice was posted in accordance to the rules and a public hearing was held on Thursday, April 9, 1987.

Testifying for the bill were Dr. Edward C. Bingler, representing Texas National Research Laboratory Commission, Dr. Steven Weinberg and Jerry Turner.

On April 9, 1987, the full committee voted to report H.J.R. 88 to the House as substituted with the recommendation that it do pass by a record vote of 7 ayes, -0- nays, -0- present, not voting, and 2 absent.

## COMPARISON OF ORIGINAL RESOLUTION TO SUBSTITUTE

The substitute provides for the establishment of a Superconducting Super Collider fund, describes the fund, and allows for the creation of accounts within the fund.

Science and Technology Committee BNH: 4/13/87

Austin, Texas

## FISCAL NOTE

April 11, 1987

TO:

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Honorable Al Luna, Chair

In Re:

Committee Substitute for

Committee on Science and Technology

House Joint Resolution No. 88

House of Representatives

Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Joint Resolution No. 88 (proposing a constitutional amendment allowing the issuance of general obligation bonds for undertakings related to a Superconducting Super Collider research facility) this office has determined the following:

The resolution would authorize the legislature to provide for the issuance of up to \$500 million in general obligation bonds of the State, the proceeds of which would be used in any manner appropriate to fund undertakings related to a Superconducting Super Collider research facility sponsored or authorized by the United States Government. The proposed amendment would appropriate out of the first money coming into the State Treasury each year an amount sufficient to pay the debt service that becomes due during the year.

Assuming a 20-year payout at a seven percent interest rate, the probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

Fiscal	Probable Cost Out of the
<u>Year</u>	General Revenue Fund
1988	\$46,518,000
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1991	46,518,000
1992	46,518,000

Similar annual costs would continue to fiscal year 2008.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, MC

Austin, Texas

## FISCAL NOTE

April 8, 1987

TO: Honorable Al Luna, Chair

In Re: House Joint Resolution No. 88

Committee on Science and Technology

By: A. Luna, et al.

House of Representatives

Austin, Texas

FROM: Jim Oliver, Director

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The resolution would authorize the appropriate agency to issue up to \$500 million in general obligation bonds. The proceeds of the bonds would be used in any manner appropriate to fund undertakings related to a Superconducting Super Collider research facility sponsored or authorized by the United State Government.

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Source: LBB Staff: JO, HES, JWH, LV

# ADOPTED

MAY 5 1987

Betty Mussey
Chief Clerk
House of Representatives

By Luna of Harris, et al.

H.J.R. No. 88

Substitute the following for H.J.R. No. 88

By Shelley

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C.S.H.J.R. No. 88

# A JOINT RESOLUTION

proposing a constitutional amendment allowing the issuance of general obligation bonds for undertakings related to a Superconducting Super Collider research facility.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 49-g to read as follows:

Sec. 49-q. (a) The legislature may authorize the appropriate agency to issue up to \$500 million in general obligation bonds and to use the proceeds of the bonds (without further appropriation) to establish a Superconducting Super Collider Fund to be used in any manner appropriate to fund undertakings related to a Superconducting Super Collider research facility sponsored or authorized by the United States Covernment. The fund shall contain a project account, an interest and sinking account, and such other accounts as may be authorized by the legislature. The fund shall be composed of the proceeds of the bonds authorized by this section, together with any income from investment of money in the fund, amounts received pursuant to subsection (b) hereof, and any other amounts authorized to be deposited in the fund by the legislature.

21 (b) Bonds issued under this section constitute a general 22 obligation of the state. While any of the bonds or interest on 23 the bonds is outstanding and unpaid, there is appropriated out of 24 the first money coming into the treasury in each fiscal year, not

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BILLS/15

# HOUSE HO

By Luna of Harris, et al.

H.J.R. No. 88

#### A JOINT RESOLUTION

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H.J.R. No. 88

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Austin, Texas

# FISCAL NOTE

April 11, 1987

TO:

Honorable Al Luna, Chair In Committee on Science and Technology

In Re: Committee Substitute for

House Joint Resolution No. 88

House of Representatives

Austin, Texas

FROM: Jim Oliver, Director

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No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, MC

Austin, Texas

# FISCAL NOTE

April 8, 1987

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Honorable Al Luna, Chair

In Re: House Joint Resolution No. 88

Committee on Science and Technology House of Representatives

By: A. Luna, et al.

Austin, Texas

FROM: Jim Oliver, Director

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Source: LBB Staff: JO, HES, JWH, LV

# SENATE FAVORABLY AS SUBSTITUTED COMMITTEE REPORT

Lt. Governor William P. Hobby President of the Senate				5	-/8/8°	7
Sir:					(date)/(ti	ine)
STATE AI	PEAIDS					
We, your Committee on	FFAIRS					n was referred
HIR 88 by Luc	رما		have on _	5/7	. 1987	, had the same
(measure)	(sponsor)			(hearing date)		,
under consideration and I am instruc	ted to report	it back	with the rec	ommendation (s)	that it	
do pass as substituted, and be produced ( ) the caption remained the san ( ) the caption changed with add	ne as original	measur substit	re cute			
() do pass as substituted, and be of	rdered not p	rinted				
() and is recommended for placem	ent on the L	ocal an	d Unconteste	d Bills Calendar.		
A fiscal note was requested.	( <b>y</b> es	( ) n	o			
A revised fiscal note was requested.	() yes	() n	0			
An actuarial analysis was requested.	() yes	(V) n	o	·		
Considered by subcommittee.	() yes	(L) n	o			
Senate Sponsor of House Measure The measure was reported from Com	Enwa-		wing vote:	<u> </u>	•	
	YEA		NAY	PNV		ABSENT
Farabee, Chairman						
Blake, Vice Chairman						
Barrientos						
Caperton						
Edwards						
Harris						
Henderson	<u> </u>					
Leedom						
Lyon			<del> </del>		<u>_</u>	
McFarland					<del></del>	
Parmer					<u> </u>	
Sarpalius						
Washington	П					<del></del>
TOTAL VOTES					<u>-                                    </u>	5
COMMITTEE CLERK)	<b>,</b>	CHA	IRMAN	<u> </u>	_	

Paper clip the original and one copy of this form along with TWO copies of the Committee Substitute to the original bill and retain one copy for Reporting Committee file.

BY LUNA of the following for H.J.R. 88
BY Gliver &

H.J.R. 88

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C.S.H.J.R. 88

# A JOINT RESOLUTION

proposing a constitutional amendment allowing the issuance of general obligation bonds for undertakings related to a Supercon-2 ducting Super Collider research facility. 3

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 49-g to read as follows:

Sec. 49-g. (a) The legislature may authorize (1) the appropriate agency to issue up to \$500 million in general obligation bonds and to use the proceeds of the bonds (without further appropriation) to establish a Superconducting Super Collider Fund to be used in any manner appropriate to fund undertakings related to a Superconducting Super Collider research facility sponsored or authorized by the United States government, and (2) the appropriate agency to grant land or property, whether or not acquired from proceeds of the bonds, to the United States government for undertakings related to a Superconducting Super Collider research facility. The Superconducting Super Collider Fund shall contain a project account, an interest and sinking account and such other accounts as may be authorized by the legislature. The fund shall be composed of the proceeds of the bonds authorized by this section, together with any income from investment of money in the fund, amounts received pursuant to subsection (b) hereof, and any other amounts authorized to be deposited in the fund by the legislature.

(b) Bonds issued under this section constitute a general 1 obligation of the state. While any of the bonds or interest on 2 the bonds is outstanding and unpaid, there is appropriated out of 3 the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount suffi-5 cient to pay the principal of and interest on the bonds that 6 mature or become due during the fiscal year, less any amount in 7 the interest and sinking account at the end of the preceding 8 fiscal year that is pledged to payment of the bonds or interest. 9 (c) The legislature may require review and approval of the 10 issuance of the bonds, of the use of the bond proceeds, or of the 11 rules adopted by an agency to govern use of the bond proceeds. 12 Notwithstanding any other provision of this constitution, any 13 entity created or directed to conduct this review and approval 14 may include members, or appointees of members, of the executive, 15 legislative, and judicial departments of state government. 16 (d) Should the legislature enact enabling laws 17 anticipation of the adoption of this section, such acts shall not 18 be void by reason of their anticipatory character. 19 This proposed amendment shall be submitted to SECTION 2. 20 The ballot the voters at an election to be held November 3, 1987. 21 shall be printed to provide for voting for or against the 22 constitutional amendment authorizing the "The proposition: 23 issuance of general obligation bonds to fund undertakings related 24 to a Superconducting Super Collider research facility sponsored 25 or authorized by the United States Government, and to make 26 appropriate grants for such undertakings." 27

# SENATE AMENDMENTS:

# 2 nd Printing HOUSE OF REPRESENTATIVES

By Luna of Harris, et al.

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H.J.R. No. 88

#### A JOINT RESOLUTION

proposing a constitutional amendment allowing the issuance of general obligation bonds for undertakings related to a superconducting super collider research facility.

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H.J.R. No. 88

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- 12 authorized by the United States government."

By Luna of Harris, et al.

H.J.R. No. 88

# SENATE AMENDMENT NO. 1

By Edwards

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C.S.H.J.R. No. 88

#### A JOINT RESOLUTION

- proposing a constitutional amendment allowing the issuance
- 2 for undertakings general obligation bonds related
- Superconducting Super Collider research facility. 3
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- 9 obligation bonds and to use the proceeds of the bonds (without further appropriation) to establish a Superconducting Super
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- 12 undertakings related to a Superconducting Super Collider research
- facility sponsored or authorized by the United States government, 13
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- 10 (c) The legislature may require review and approval of the

  11 issuance of the bonds, of the use of the bond proceeds, or of the

  12 rules adopted by an agency to govern use of the bond proceeds.

  13 Notwithstanding any other provision of this constitution, any

  14 entity created or directed to conduct this review and approval may

  15 include members, or appointees of members, of the executive,

  16 legislative, and judicial departments of state government.
- (d) Should the legislature enact enabling laws in anticipation of the adoption of this section, such acts shall not be void by reason of their anticipatory character.
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Austin, Texas

# FISCAL NOTE

April 11, 1987

In Re: Committee Substitute for Honorable Al Luna, Chair TO: Committee on Science and Technology House of Representatives

House Joint Resolution No. 88

Austin, Texas

FROM: Jim Oliver, Director

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Similar annual costs would continue to fiscal year 2008.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, MC

Austin, Texas

# FISCAL NOTE

April 8, 1987

TO: Honorable Al Luna, Chair

In Re: H

House Joint Resolution No. 88

Committee on Science and Technology

By: A. Luna, et al.

House of Representatives

Austin, Texas

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Source: LBB Staff: JO, HES, JWH, LV

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# ENROLLED

H.J.R. No. 88

## A JOINT RESOLUTION

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BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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5 SECTION 1. Article III of the Texas Constitution is amended 6 by adding Section 49-g to read as follows:

7 Sec. 49-g. (a) The legislature may authorize (1) the appropriate agency to issue up to \$500 million in general 8 obligation bonds and to use the proceeds of the bonds (without 9 further appropriation) to establish a superconducting super 10 collider fund to be used in any manner appropriate to fund 11 undertakings related to a superconducting super collider research 12 facility sponsored or authorized by the United States government, 13 and (2) the appropriate agency to grant land or property, whether 14 or not acquired from proceeds of the bonds, to the United States 15 government for undertakings related to a superconducting super 16 collider research facility. The superconducting super collider 17 18 fund shall contain a project account, an interest and sinking account and such other accounts as may be authorized by the 19 legislature. The fund shall be composed of the proceeds of the 20 bonds authorized by this section, together with any income from 21 investment of money in the fund, amounts received pursuant to 22 Subsection (b) hereof, and any other amounts authorized to be 23 24 deposited in the fund by the legislature.

H.J.R. No. 88

(b) Bonds issued under this section constitute a general obligation of the state. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount sufficient to pay the principal of and interest on the bonds that mature or become due during the fiscal year, less any amount in the interest and sinking account at the end of the preceding fiscal year that is pledged to payment of the bonds or interest.

- (c) The legislature may require review and approval of the issuance of the bonds, of the use of the bond proceeds, or of the rules adopted by an agency to govern use of the bond proceeds.

  Notwithstanding any other provision of this constitution, any entity created or directed to conduct this review and approval may include members, or appointees of members, of the executive, legislative, and judicial departments of state government.
- (d) Should the legislature enact enabling laws in anticipation of the adoption of this section, such acts shall not be void by reason of their anticipatory character.
  - SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the issuance of general obligation bonds to fund undertakings related to a superconducting super collider research facility sponsored or authorized by the United States government, and to make appropriate grants for such undertakings."

H.J.R. No. 88

∋ Senate	Speaker o	f the House
nat H.J.R. No. 88	was passed by	the House on May
lowing vote: Yea	s 147, Nays 1,	1 present, not
House concurred	in Senate ame	ndments to H.J.R.
987, by the follo	wing vote: Yea	as 141, Nays 1, 2
	Chief Cler	of the House
nat W I D No 90	una massad had	Alta Carret
, 1907, by the 10	ollowing vote:	Yeas 29, Nays
-	Secretary	of the Senate
	beeretary	or the behate
Pate		
ry of State		
	lowing vote: Year House concurred 987, by the following th	Chief Clerinat H.J.R. No. 88 was passed by lowing vote: Yeas 147, Nays 1, where House concurred in Senate amendary, by the following vote: Year Chief Clerinat H.J.R. No. 88 was passed by 8, 1987, by the following vote:  Secretary of Secret

Speaker of the House
I certify that H.J.R. No. $\frac{88}{(1)}$ was passed by the House
$\frac{1}{(1)}$ was passed by the house
on $(2)$ , 1987, by the following vote:
Yeas 147, Nays 1, present, not voting
and that the House concurred in Senate amendments to H.J.R. No.
on $(5)$ , 1987, by the following
vote: Yeas 14, Nays 1, 2 present, not voting.
(6)
Chief Clerk of the House
**** Preparation: 'A;CT20;
± D
I certify that H.J.R. No. $\underbrace{\begin{array}{c} \\ \\ \end{array}}_{(1)}$ was passed by the Senate, with
amendments, on $(2)$ , 1987, by the following
vote: Yeas $\frac{29}{(3)}$ , Nays ${}$
·
Secretary of the Senate
best out of the behave
RECEIVED:
Date
Secretary of State
**** Preparation: 'A;CT22;

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4 J.R. No. 88

## A JOINT RESOLUTION

proposing a constitutional amendment allowing the issuance of general obligation bonds for undertakings related to a Superconducting Super Collider research facility.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 49-g to read as follows:

Sec. 49-g. (a) The legislature may authorize the appropriate agency to issue up to \$500 million in general obligation bonds and to use the proceeds of the bonds in any manner appropriate to fund undertakings related to a Superconducting Super Collider research facility sponsored or authorized by the United States Government.

(b) Bonds issued under this section constitute a general obligation of the state. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount sufficient to pay the principal of and interest on the bonds that mature or become due during the fiscal year, less any amount in any sinking fund at the end of the preceding fiscal year that is pledged to payment of the bonds or interest.

SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the

H. J. R. No. <u>88</u>	By A Luna
1	HOUSE JOINT RESOLUTION Hilbert
of general obligations	itutional amendment allowing the issuance tion bonds for undertakings related to a uper Collider research facility.  1. Filed with the Chief Clerk.
MAR 19 1987	2. Read first time and referred to Committee on
APR 9 1987	Science + Technology  3. Reported favorably (as substituted) and sent to Printer at  APR 16 1987
	4. Printed and distributed at 10:58 am
APR 21 1987	5. Sent to Committee on Calendars at 4:28 pm
MAY 5 1987	6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote of yeas, present, not voting.
	7. Motion to reconsider and table the vote by which H.J.R was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of yeas, nays, present, not voting).
	8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of yeas, nays, present, not voting.

\_ 10. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ adopted prevailed (failed) by a (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

WAY !	5	1997	11. Ordered Engrossed at 1:39 PW
MAY	5	1987	12. Engrossed.
MAY	5	1987	13. Returned to Chief Clerk at
MAY	·	6 1987	14. Sent to the Senate.
MAY	6	1987	15. Received from the House
MAY	6	1987	16. Read, referred to Committee on STATE AFFAIRS
			17. Reported favorably
MAY	8	1987	18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
MAY	8	1987	19. Ordered not printed.
MAY	3,	1967	20. Regular order of business suspended by Unaum Cause (a viva voce vote.)
			21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of
MAY		3 <b>1987</b> 	22. Read second time passed to third reading by:

	23. Caption ordered amended to conform to body of bill.
18Y 8 1987	24. Senate and Constitutional 3-Day Rules suspended by vote of yeas, nays to place bill on third reading and final passage.
мдү 8 1937	25. Read third time and passed by  (arriva voce vote.)  ( 2
OTHER ACTION:	OTHER ACTION:  Secretary of the Senate
May 8, 1987	26. Returned to the House.
MAY 8 1987	27. Received from the Senate (with amendments.) (as substituted.)
MAY 11 1987	28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Record Vote of 141 yeas, not voting).
	29. Conference Committee Ordered.
	30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).
MAY 11 1987	31. Ordered Enrolled at 4:36 pm

1987 MAY -8 PM 10: 48

HOUSE OF REPRESENTATIVE.

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